

Freeman, Mag

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X Civil Action No.: 11-cv-5766 (GBD) (DCF)  
TEEN MODEL (a minor), by her parents, PARENTS,

Plaintiff,

**STIPULATION AND  
PROPOSED ORDER**

-Against-

BLOOD IS THE NEW BLACK,  
URBAN OUTFITTERS, INC., and  
BRANDY & MELVILLE N.Y. INC.

Defendants,

-----X

**USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5/24/12**

IT IS HEREBY STIPULATED AND AGREED, by and between counsel to the parties,  
and subject to the approval of this Court, as follows:

WHEREAS, the parties are engaged in settlement discussions and have settlement  
conferences scheduled with Magistrate Judge Debra C. Freeman for June 12, 2012 and June, 18,  
2012.

WHEREAS, Plaintiff is prepared to file a Motion to Amend the Complaint to add an  
additional claim against defendant Brandy & Melville N.Y. Inc.

WHEREAS, Brandy & Melville N.Y. Inc. is contemplating filing a Motion to Add  
Additional Parties.

WHEREAS, the Scheduling Order of this Court, dated April 3, 2012 requires that "[a]ny  
motion to amend the pleadings or to join additional parties shall be served no later than May 25,  
2012."

1. In an effort to obviate motion practice, eliminate attendant attorneys' fees and  
expenses, and to foster settlement, the Parties hereby agree to withhold filing motions to Amend

the Pleadings and/or to Add Additional Parties between the date of this Stipulation and June 19, 2012.


2. In consideration of the above parties' attempts at settlement of the above-captioned matter, the parties, through their counsel, agree that, in the event the matter is not resolved by June 18, 2012, the Parties shall be permitted to file motions to Amend the Pleadings and/or to Add Additional Parties as early as June 20, 2012, but no later than July 2, 2012.

3. Counsel executing this stipulation affirmatively represent that each is authorized to execute this stipulation on behalf of their respective client(s) and the parties rely on the truth of such representation.

4. This Stipulation is without prejudice to any party's position with respect to any pending motion, or to any party's claim, counterclaim, or defense in this Action.

5. This Stipulation may be executed in counterparts, and a facsimile or portable document format version or copy of this Stipulation shall be deemed an original for all purposes.

Dated: New York, New York  
May \_\_, 2012

  
By: Andrea Schillaci  
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*Attorneys for Defendant Brandy & Melville  
N.Y. Inc.*

\_\_\_\_\_  
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*Attorneys for Plaintiff*

\_\_\_\_\_  
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By: James J.S. Holmes  
SEDGWICK LLP

\_\_\_\_\_  
By: Warren S. Koster  
By: Stephen J. Barrett  
CALLAN KOSTER BRADY & BRENNAN

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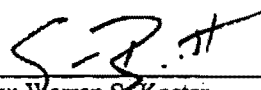
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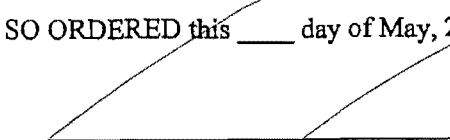
  
By: Warren S. Koster  
By: Stephen J. Barrett  
CALLAN KOSTER BRADY & BRENNAN

SO ORDERED: DATE: 5/24/12  
  
DEBBA FREEMAN  
UNITED STATES MAGISTRATE JUDGE

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Fax: (212) 248-6815  
*Attorneys for Defendant Urban Outfitters, Inc.*

SO ORDERED this \_\_\_\_ day of May, 2012, New York, New York:

  
\_\_\_\_\_  
Hon. Debra C. Freeman, U.S.M.J.

*see previous  
page for signature*